

IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

FILED
U.S. DISTRICT COURT
SAVANNAH DIV.

2019 DEC 23 PM 1:45

MARION SMITH,

Movant,

v.

UNITED STATES OF AMERICA,

Respondent.

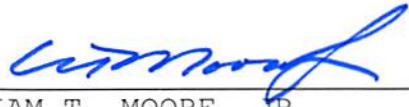
CLERK
SO. DIST. OF GA.

CASE NOS. CV419-306
CR407-288

O R D E R

Before the Court is the Magistrate Judge's Report and Recommendation (Doc. 2), to which no objections have been filed.¹ After careful consideration and review of the record, the report and recommendation (Doc. 2) is **ADOPTED** as the Court's opinion in this case. Accordingly, Movant's unauthorized successive \$ 2255 motion is **DISMISSED**. As a result, Movant's subsequent Motion to Appoint Counsel (Doc. 3) is **DISMISSED AS MOOT**. In addition, Plaintiff is not entitled to a Certificate of Appealability, rendering moot any request to proceed in forma pauperis on appeal. The Clerk is **DIRECTED** to close this case.

SO ORDERED this 23RD day of December 2019.


WILLIAM T. MOORE, JR.
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA

¹ Unless otherwise stated, all citations are to Movant's civil docket on this Court's electronic filing system, CV419-306.